

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RANDALL W. HILLMAN,

Defendant.

4:19CR3138

**PRELIMINARY ORDER OF  
FORFEITURE**

This matter is before the Court upon the United States of America's Motion for Preliminary Order of Forfeiture (Filing No. 33). The Court reviews the record in this case and, being duly advised, finds as follows:

1. Defendant Randall W. Hillman entered into a Plea Agreement (Filing No. 29) whereby he agreed to enter a plea of guilty to Counts One and Two of the Indictment and admit to the Forfeiture Allegation of the Indictment. Counts One and Two charged Defendant with possession of device-making equipment affecting interstate and foreign commerce and with intent to defraud, and with using and attempting to use one or more unauthorized access devices to obtain United States currency, in violation of 18 U.S.C. §§ 1029(a)(4) and 1029(a)(2), and (b)(1). The Forfeiture Allegation seeks the forfeiture of \$40,101.00 U.S. currency pursuant to 18 U.S.C. § 982.

2. Defendant has forfeited his interest in the U.S. currency, and the United States is entitled to possession of the currency, pursuant to 18 U.S.C. § 982 on the basis it used or intended to be used to commit the violations alleged in Counts One and Two.

3. The United States's Motion for Preliminary Order of Forfeiture should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The United States's Motion for Preliminary Order of Forfeiture is hereby granted.

B. Based upon the Forfeiture Allegation of the Indictment and the Defendant's plea of guilty, the United States is hereby authorized to seize the \$40,101.00 in U.S. currency.

C. The Defendant's interest in the currency is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).

D. The United States shall hold the currency in its secure custody and control.

E. Pursuant to 18 U.S.C. § 982 and 21 U.S.C. § 853(n), the United States shall publish for at least thirty consecutive days on an official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, Notice of Publication evidencing the United States's intent to dispose of the currency in such manner as the Attorney General may direct, and notice that any person, other than the Defendant, having or claiming a legal interest in any of the subject properties must file a Petition with the court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.


F. Said published notice shall state the Petition referred to in Paragraph E, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the properties, shall be signed by the Petitioner under penalty of perjury, shall set forth the nature and extent of the Petitioner's right, title or interest in the subject properties, and shall provide any additional facts supporting the Petitioner's claim and the relief sought.

G. The United States may also, to the extent practicable, provide direct written notice to any person known to have an interest in the properties to this Order as a substitute for published notice as to those persons so notified.

H. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 982, in which all interests will be addressed.

ORDERED this 28<sup>th</sup> day of September, 2020.

BY THE COURT:

  
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RICHARD G. KOPF, Senior  
United States District Court Judge